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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,837	02/25/2002	Eric Lauper	34415	1296

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EXAMINER

WALLERSON, MARK E

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 11/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/082,837	Applicant(s) LAUPER ET AL.	
	Examiner Mark E. Wallerson	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20,22-38 and 40-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13,15,17-20,22-38,40-47 and 49-62 is/are rejected.
- 7) ☒ Claim(s) 14,16 and 48 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on 7/21/04.
2. This application has been reconsidered. Claims 1-20, 22-38, and 40-62 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geisler (U.S. 6,252,989) in view of Molloy (U.S. 6,078,349).

With respect to claims 1, 9, 10, 13, 17, 18, 19, 20, 21, 25, 32, 33, 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, and 62, Geisler discloses a method for the transmission and reproduction of image data in which the image data is transmitted from a sending device to at least one communication device (figure 1) and reproduced by image reproducing means (display), the current viewing direction of the communication terminal's user being determined (column 2, lines 39-61), comprising transmitting first image data is transmitted with a low resolution over a transmission channel (column 2, lines 49-58), sending the current viewing direction over a reverse communication channel (column 2, lines 39-49), transmitting second

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image data corresponding to image areas viewed currently or in the future by a user with a higher resolution over a channel (figure 1 and column 2, lines 58- 61), and wherein the first and second images are superimposed and simultaneously reproduced in the terminal (column 2, lines 58-61). Additionally, Geisler discloses encoding modules for compressing the image data (column 4, lines 6-30).

Geisler differs from claims 1, 9, 10, 13, 17, 18, 19, 20, 25, 32, 33, 44, 45, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, and 62 in that he does not clearly disclose a first transmission channel for transmitting the low resolution image and a second transmission channel for transmitting the higher resolution image.

Molloy discloses a method for determining regions on a screen that are of high and low interest to a viewer wherein the data for different regions of the screen are transmitted separately (column 10, lines 7-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the system of Geisler to include a first transmission channel for transmitting the low resolution image and a second transmission channel for transmitting the higher resolution image.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the system of Geisler by the teaching of Molloy in order to reduce the bandwidth on a single channel as disclosed by Molloy in column 1, lines 20-27.

With respect to claims 2, 3, 22, 23, 26, and 40, Geisler discloses the image data are projected on the retina of the user (column 2, lines 39-61 and column 3, lines 48-64).

With regard to claims 4, 27, and 41, Geisler discloses adjusting the size of the viewed image (column 3, lines 15-64).

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With respect to claims 5, 6, 7, 8, 28, 42, and 43, Geisler discloses the image can be adapted to the bandwidth of the second channel and the image data is transmitted in a broadcast mode (column 3, lines 1-13 and column 8, lines 30-34 and column 8, line 65 to column 9, line 5).

With respect to claims 11, 12, 29, 30, 34, 46, and 47, Geisler discloses a telephone or mobile radio network (column 9, lines 31-40).

With regard to claim 15, Geisler discloses additional multimedia (video) data requested by the user are sent over the channel (column 11, lines 1-12).

With respect to claim 24, Geisler discloses the image reproduction means are integrated in a different unit from the receiving part of the communication terminal (figure 1).

With regard to claim 31, Geisler discloses a data carrier reader (column 11, lines 1-12).

With respect to claim 35, Geisler discloses sending the viewing direction in real-time to the sending device (column 11 lines 30-63).

With regard to claims 36, 37, and 38 Geisler discloses a memory (register) for storing the data (column 11, lines 1-21).

Allowable Subject Matter

5. Claims 14, 16, and 48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Response to Arguments

6. Applicant's arguments with respect to claim, 1, 55, 56, and 58 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (703) 305-8581. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
Art Unit 2626

MARK WALLERSON
PRIMARY EXAMINER

